



**Greenleaf Update - ENFORCEMENT SENSITIVE**

**Jamie Green** to: William Spratlin, Betty Berry, Donald Toensing  
Cc: Walter Roachell, Maryjane Wingett, Craig Thomson, Kent Johnson

01/10/2008 12:25 PM

History: This message has been forwarded.

Following is some additional information from the MDA inspector's in Neosho and a message related to MDNR planning another site visit.

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----- Forwarded by Jamie Green/R7/USEPA/US on 01/10/2008 12:13 PM -----

Maryjane  
Wingett/R7/USEPA/US  
01/10/2008 11:30 AM

To Jamie Green/R7/USEPA/US  
cc

Subject Fw: Background Information For Mary Jane

Mary Jane Wingett  
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----- Forwarded by Maryjane Wingett/R7/USEPA/US on 01/10/2008 11:29 AM -----



"Steiner, Gary"  
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01/10/2008 10:13 AM

To "Bailey, Paul" <Paul.Bailey@mda.mo.gov>  
cc Maryjane Wingett/R7/USEPA/US@EPA

Subject Background Information For Mary Jane

Paul/Mary Jane,

I understand there might be a RCRA effort in the works, so I think a "brief" memo is in order since my report will surely not reach your desk for a week or two.

Greenleaf, LLC operates a storage and manufacturing site at Neosho, Missouri and operates two leased storage sites near Neosho and at Pineville, Mo. Reportedly, pesticides are stored at each of these facilities. The firm has operated the 13960 Palm Road site (approximately five acres with about 527,000 square feet of storage area within three buildings) south of Neosho for six months or one year (depending

on who you are talking with). Plant Manager Mr. Robert Applegarth estimates there are somewhere in the neighborhood of 1,800,000 pounds of pesticides (1,000,000 pounds of insecticides, 800,000 pounds of herbicides and just a few pounds of fungicides) currently on inventory at the Palm Road site. Most of that inventory was packaged in original containers of the registrants, was not held for sale or distribution by Greenleaf and was intended solely for production into Greenleaf registered pesticides. Paul and I discovered approximately 93,100 pounds of dry pesticides and one gallon of herbicide (Roundup) that had been repackaged into a milk jug that was being held for sale and distribution. Our estimate of the total pounds was surely aggressive. The actual amount might be somewhat lower. Almost all of the salable pesticide inventory was unlabeled and held in open bulk bins. Many of the bins displayed signs that listed prices and rudimentary hand lettered description or identification (weed & feed, weed preventer, bug bait, etc.). Some bulk bins were unlabeled. A relatively small amount of pesticides had been re-bagged into two, five, ten and 30 pound bags and the bags were labeled only with small Greenleaf stickers listing simple brand names. Paul and I SSUROed all of the firm's inventory that was held for sale. Mr. Applegarth estimated that he has already sold and distributed from 1,600,000 to 2,000,000 pounds of pesticides. He told us no salable pesticide inventory was held at the two leased warehouse locations and we did not visit those sites for this inspection. So, we do not know how much pesticide is stored there.

During a conversation with Greenleaf, LLC Owner Mr. Tom Smith yesterday we found he also own Roll Off Service, a trash disposal service of Lowell, Arkansas. He said he identified a business opportunity through his firm's association with WalMart, Inc. of Bentonville, Ar. Reportedly, Roll Off Services had a contract with WalMart to haul and dispose of wastes, including hazardous wastes for the retail giant's "return center in Bentonville. A WalMart return center receives damaged and unsalable merchandise from local retail stores within their region. WalMart also has return centers located in Indianapolis, Indiana, Las Vegas, Nevada, Waco, Texas, Macon, Georgia, and in Johnstown, New York. Apparently Mr. Smith and WalMart officials hatched a plan where damaged merchandise coming in to Wal-Mart return centers from WalMart garden centers would be redirected for recycling instead of disposal. The damaged merchandise included bags of charcoal, potting soil, wood chips, mulch, fertilizer, seed, bird seed, kitty litter and pesticides. This material had been disposed of prior to implementation of the recycling program. Apparently, this all fit in quite well with Wal-Mart's new environmental sustainability programs.

The Greenleaf/WalMart agreement required all of the damaged merchandise to be removed or de-bagged from original packaging before Greenleaf could sell and distribute the materials. Officially Greenleaf purchased the materials from WalMart, but we have reason to believe the goods were received at little or no cost to Greenleaf. The contract included pesticide products that made up a significant part of the garden center damaged goods taken in from the return centers. Beginning some time in 2007 all of this damaged merchandise from all of the WalMart return centers in the United States was routed to Greenleaf. The first shipment included 77 trailer loads and it kept coming. Mr. Smith hired Mrs. Mindy Becker (from Wal-Mart) as his regulatory affairs FIFRA consultant. Mrs. Becker operates from an office in the Bentonville or Springdale, Ar. area and her phone number is (479) 721-8551. Mr. Smith hired Mr. David Harsh of Harsh Environmental of Fayetteville, Ar. as his RCRA consultant. Mr. Harsh's phone number is (479) 225-6366. Reportedly, Mrs. Becker secured the firm's pesticide registrations and has access to Greenleaf's written agreements with all of the pesticide registrants represented by the pesticides received from the WalMart return centers. Mr. Smith said she is doing a good job overseeing Greenleaf's pesticide activities. He said that representatives of some of the major pesticide registrants doing business with WalMart have even inspected the Greenleaf facility (including Scott's of Ohio) and have approved of the pesticide recycling effort.

Basically what happens when a truck load of damaged goods arrives from a WalMart return center is that Greenleaf attempts to separate the pesticides from other goods and when time allows Greenleaf employees cut open the pesticide bags and pour out the contents of the pesticide containers into wooden or cardboard bulk bins mounted on pallets that are stored for display and held for sale in the main sales or customer area of the facility. A large amount of pesticides was also dumped into large piles inside another part of the main building. Some of the salable product had been re-bagged, but most of it was left in bulk bins to just be scooped out of the bins by hand and placed into unlabeled bags during sale to the public. The pesticide were sold just like bird seed. Reportedly, the customer is given a copy of the Greenleaf label for the product, but no label is applied to the container. Some bagged inventory did display a small

Greenleaf sticker listing only the weight and trade name of the product. The firm also sold a herbicide/fertilizer blended product to local farmers in bulk from a large pile derived from de-bagged and commingled weed and feed type pesticides.

There is literally no part of the Greenleaf operation that has been conducted in a professional or appropriate manner in regard to FIFRA. We found evidence of pesticides left on the floors. Empty bags from the ongoing de-bagging operation were found in dumpsters. Paul and I believe several different products of various active ingredients, as well as different registrations were commingled and likely make up the inventory of any and all of the pesticides held for sale by Greenleaf. The open bins were stored in the area of the facility where customers and the public had unlimited access. No pesticide type warning signs were posted. Employees do not appear to be knowledgeable regarding the proper handling of pesticides and there was little evidence of PPE in use. The primary Counter Salesman was confused regarding the identity of many of the pesticide products offered for sale. He was unable to identify appropriate labeling to be issued with pesticide sales. There is a complete and utter lack of quality control, inventory control, workplace safety, records maintenance, GMP, BMPs, etc. The sheer volume of this pesticide train wreck is astounding. The only positive thing about the place is that we are talking about low toxicity pesticides intended for use by the home owner or consumer market and management appeared to be cooperative. Otherwise, Greenleaf might be the most violative pesticide production and distribution business I have ever inspected.

Gary Steiner

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v>  
01/10/2008 11:51 AM

To "Bailey, Paul" <Paul.Bailey@mda.mo.gov>, "Steiner, Gary"  
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cc

Subject Neosho

All,

Just a quick note. I spoke with Candice Bias, Missouri DNR Hazardous Waste Program, a few minutes ago on the phone. She said that she is planning to go to the Greenleaf facility in Neosho either today or early next week.

John Brunnert  
MDA Pesticide Program